

ENTERED

November 01, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

POWER MANAGEMENT
CONTROLS, INC.,

Plaintiff.

VS.

5NICKLES, INC., ET AL.,

Defendants.

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CIVIL ACTION NO. 3:19-CV-00289

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On October 16, 2019, United States Magistrate Judge Andrew M. Edison filed a Memorandum and Recommendation (Dkt. 13) recommending that Plaintiffs' Motion to Remand (Dkt. 9) be **GRANTED**.

On October 30, 2019, Defendants filed their Objections. *See* Dkt. 14. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison's

Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 13) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiffs' Motion to Remand (Dkt. 9) is **GRANTED**;
- (3) This action, originally numbered 18-CV-1164 by the Galveston County District Clerk, is **REMANDED** back to the 56th District Court of Galveston County, Texas, effective immediately; and
- (4) A certified copy of this order will be mailed by the Clerk of this court to the Clerk of the 56th District Court of Galveston County, Texas entitling that Court to proceed with the action according to the laws of the State of Texas.

It is so **ORDERED**.

SIGNED and ENTERED this 1st day of November, 2019.

A handwritten signature in black ink, reading "Jeff Brown", is written over a horizontal line.

JEFFREY V. BROWN
UNITED STATES DISTRICT JUDGE